

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Charles Malcolm Spivey Jr.

Docket No. 7:17-CR-29-1H

**Petition for Action on Supervised Release**

COMES NOW David W. Leake, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Charles Malcolm Spivey Jr., who, upon an earlier plea of guilty to Failure to Register as Required by the Sex Offender Registration and Notification Act 18 U.S.C. § 2250(a), 18 U.S.C. § 2250(a)(3), was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on February 6, 2018, to the custody of the Bureau of Prisons for a term of 10 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

Charles Malcolm Spivey Jr. was released from custody on December 4, 2018, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

The defendant completed a Sex Offender Clinical Assessment and no sex offender specific treatment was recommended. However, it was recommended that he be referred for individual mental health treatment to help him develop structured problem-solving skills. As such, a condition providing for mental health treatment is recommended. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision. ✓

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall participate in a program of mental health treatment, as directed by the probation office. ✓

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

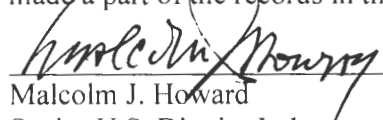
/s/ Robert L. Thornton  
Robert L. Thornton  
Supervising U.S. Probation Officer

/s/ David W. Leake  
David W. Leake  
U.S. Probation Officer  
414 Chestnut Street, Suite 102  
Wilmington, NC 28401-3958  
Phone: 910-679-2045  
Executed On: January 17, 2019

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ORDER OF THE COURT

Considered and ordered this 22<sup>nd</sup> day of January, 2019, and ordered filed and made a part of the records in the above case.

  
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Malcolm J. Howard  
Senior U.S. District Judge